

REMARKS/ARGUMENTS

Claims 21 to 38 are pending in the application. Claim 21, 28, 32, and 33 are independent claims. Claims 22 through 27, and 38 depend from claim 21. Claims 29 through 31 depend from claim 28. Claim 34 depends from claim 33. Claims 35, 36, and 37 depend from claim 32.

Applicant expresses appreciation to the Office that claims 21 through 31, and 38 are allowed.

Applicant further expresses appreciation that claims 33 and 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicant has amended claim 33 accordingly, and believes that both claims 33 and 34 are now in condition for allowance.

In the Action, claims 32 and 35 through 37 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,662,332 to Garfield (hereinafter "Garfield"). In response, applicant submits that the cited and relied upon Garfield and that which one skilled in the art would allegedly know at the time the invention was made does not support a prima facie rejection of obviousness under 35 U.S.C. § 103(a).

There is no disclosure or suggestion in Garfield for the modification argued by the Office, and the combination of Garfield and that which one skilled in the art would allegedly know at the time the invention was made, even if technically feasible, which is not admitted as possible by the applicant, does not render independent claim 32 obvious.

Claim 32 provides a method for playing a competitive card game simulating wrestling matches. The method has the steps of (a) providing a playing card for each player with each card representing a specific wrestler and having indicia thereon. The indicia has one or more wrestling moves of a specific wrestler represented thereon and a rating of punishment that the one or more wrestling moves can inflict on an opponent with a rating of total amount of punishment that the specific wrestler represented thereon can sustain. The method also has the step of (b) each of the players sequentially selecting a wrestling move to be performed from the card of the player. The method also has the step of subtracting the rating of punishment of the selected wrestling move from the rating of total amount of punishment of the card of another player. The sequential selection and the subtraction continue until one of the players depletes the total amount of punishment of the other player.

Garfield discloses a method of playing a trading card game. The method has the step of using game components comprising (a) energy or mana cards and (b) command or spell cards. Garfield discloses that players of the game determine prior to game play, an amount of life points that each player will possess. Energy cards are required to bring a command or spell card into play. Interplay of various energy and command cards can be used to reduce a player's life points to zero, thereby eliminating the player from the game.

Each of the trading cards has a character thereon. The character is not a specific wrestler, let alone one having indicia thereon, or let alone any indicia having one or more wrestling moves of a specific wrestler represented thereon and a

rating of punishment that the one or more wrestling moves can inflict on an opponent.

In an embodiment, the characters are creatures such as a Hill Giant. The Hill Giant character will attack opposing players and also defend players from attack. (See column 12, lines 13 through 24). The character will remain permanently in play until destroyed and then will be cast into a graveyard area discard pile. Garfield discloses that the Hill Giant character has one power indicator. The power indicator is one permanent number printed on the trading card. This power indicator shows a fixed value. The fixed value is associated with a fixed amount of damage that the character can cause such as three points.

Garfield does not disclose or suggest any method for playing a competitive card game simulating wrestling matches, let alone one with the steps of providing a playing card for each player with each card representing a specific wrestler and having indicia thereon. Garfield also does not disclose or suggest any indicia with one or more wrestling moves of a specific wrestler represented thereon and a rating of punishment that the one or more wrestling moves can inflict on an opponent with a rating of total amount of punishment that the specific wrestler represented thereon can sustain.

Garfield further does not disclose or suggest any step of players sequentially selecting a wrestling move to be performed from the card of the player and subtracting the rating of punishment of the selected wrestling move from the rating of total amount of punishment of the card of another player with the sequential selection and the subtraction continuing until

one of the players depletes the total amount of punishment of the other player.

In contrast, Garfield discloses one power indicator or one permanent number that will do a fixed amount of damage such as three points. (See column 11, lines 25 through 30). Garfield does not disclose or suggest any step of players sequentially selecting a wrestling move to be performed from the card of the player.

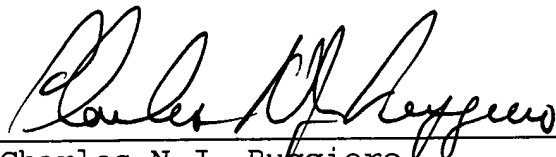
In Garfield, the player is limited to the one power indicator value of the Hill Giant card. One skilled in the art would not be motivated after reviewing Garfield to modify Garfield in a manner as claimed in claim 32. Reconsideration and withdrawal of the rejection of claim 32 are respectfully requested.

Claims 35 through 37 depend on claim 32 and are patentable for at least the reasons discussed above for claim 32. Reconsideration and withdrawal of the rejection of claims 35 through 37 are respectfully requested.

In view of the foregoing, applicant respectfully submits that all claims presented in this application patentably distinguish over the cited prior art and the cited combinations of same. Accordingly, applicant respectfully requests favorable consideration and the passage of all claims to allowance.

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Respectfully submitted,



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